

February 01, 2006- Legacy of Fallen Miners Sparks Federal Legislation

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WASHINGTON, D.C. - In the wake of the mining tragedies in Sago and Melville, West Virginia, the State's Congressional Delegation today introduced legislation to remedy woefully inadequate enforcement of the law, stated U.S. Rep. Nick J. Rahall (D-WV).

"I aim to ensure that the legacy of the Sago and Alma Miners will be the certainty that those laws are not left to idle on the shelf, but are, instead, enforced to the fullest extent. We owe them, their brothers and sisters still in the mines, and those yet to don a miner's cap, nothing less," stated Rahall, who represents southern West Virginia, where the Melville mining tragedy occurred.

Rahall is referring to the Federal Coal Mine Health and Safety Act of 1969 as updated in 1977. That landmark law contains sufficient authority for the Secretary of Labor to update, and enhance, underground coal mine health and safety regulations. However, as the coal communities and all those watching on television learned during the Sago and Melville tragedies, today's coal miners are not provided with 21st century technology to ensure every chance of survival in emergency situations.

"As technology enabled our Nation to mine much more coal in much less time with far fewer workers, advances that could improve the conditions for workers in the mines were tragically shoved aside. Mine safety funds were cut. Federal enforcement became lax," charged Rahall.

In the past few years, Rahall has noticed a change in the tenacity of the federal government to do all in its power to protect miners. For example, in every budget since 2001, this Administration has requested cuts in the Mine Safety and Health Administration's (MSHA) budget from the previous year's enacted budget. As a result, the agency has lost 170 employees - whose job was to keep our miners safe - since 2001. And in 2003, Rahall fought against a proposed rule that could have allowed the amount of coal dust in mines to increase fourfold.

The "Federal Mine Safety and Health Act of 2006" would enhance rescue requirements, resurrecting a proposed rule rejected by this Administration in 2001 to mandate that each operator be required to maintain emergency air supplies and self-contained breathing equipment at strategic locations within the mine for persons awaiting rescue.

Under the legislation, coal miners would also be equipped with electronic tracking devices with the ability to communicate with those above the surface. Mines would house locations with independent communications systems to the surface as well, and mine rescue teams would be required to be familiar with the mine.

"In this age of high-technology, when reporters at the mouth of a mine could beam reports around the Earth in an instant, it defies logic that we could not communicate with those men just a few thousand feet underground, who were trapped in primitive conditions, untraceable, with just one precious hour of oxygen," declared Rahall.

In preventative efforts, the legislation stipulates that MSHA reaffirm its prohibition of using entries which contain conveyor belts to ventilate work areas in underground coal mines. This long-standing prohibition was weakened by an April 2004 rulemaking, and this method of ventilation was in use at the Melville mine.

The legislation establishes an Office of Science and Technology Transfer to conduct research and advance new technologies to protect miners. A new avenue for confidential reporting of mine safety and health violations would be created in the form of an ombudsman. And civil penalties for health and safety standard violations would increase.

"The fact is that the Mine Safety and Health Administration--vested and empowered by the Congress with necessary authorities--still has not done enough to prevent these tragedies, and in fact, has retreated from many advances in health and safety standards over the recent years," stated Rahall.

He concluded, "The Nation's miners keep kissing their families goodbye, whispering a prayer for their own safe return, and going into the mines, into the dark, under tons of rock and dirt, to earn an honest wage. We must do better to ensure their safe return home every day."